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Minutes

Regular Meeting of February 22, 2018
Code Enforcement Committee

Committee Members Present: Chairman Joseph Bibisi, Sal Nesci, Chief Public Health Sanitarian; Dean Lisitano, Chief Building Official; Art Higgins, Fire Marshal; Nick Purro, Police Officer; Christopher Holden, Deputy Director of Public Works; Gary Gessaro, Deputy Fire Marshal; and Christopher J. Smedick, Assistant General Counsel.

Members of the Public: Linda Salafia; Joseph Havlicek, Director of Health

1. Call to Order

Chairman Bibisi called the meeting to order at 9:01 a.m.

2. Approval of Minutes

A. Review and approval of the minutes of the November 30, 2017 regular meeting.

MOTION: Chief Public Health Sanitarian Nesci made a motion to approve the minutes of the November 30, 2017 regularly scheduled meeting. Deputy Fire Marshal Gessaro seconded the motion. Motion passed unanimously at 9:01 am.

*Fire Marshal Higgins joined the meeting at this time.

3. Public Session

A. 1079 Saybrook Road. Linda Salafia spoke as a member of the public regarding issues concerning the lack of maintenance of a fence that abuts the property, and trespassing issues from surrounding properties. The Middletown Police Department will monitor.

4. New Business

A. Police Department

1) 1079 Saybrook Road/Woodbury Circle: This issue was discussed during the Public Session. The Middletown Police Department will monitor.

- 2) 139 Church Street: There was arson on the property in January of 2018. The property owner is working to remediate the code violations on the property. The Police Department will continue to monitor.

B. Office of the General Counsel

- 1) Review of Code Enforcement Liens- No update.

5. Old Business

A. Planning, Conservation and Development Office:

- 1) 27 Barbara Road: The code violations on the property pertaining to both the Health Department and the Planning, Conservation and Development Office have been remediated. No further action needed.
- 2) 337-351 Main Street (Bob's Store – Blight Notice): The code violations on the property have been remediated and all fines for noncompliance have been paid. No further action needed.
- 3) 139 Spencer Drive: Code violations still exist on the property, but the property is in a tax foreclosure. The property will continue to be monitored.

B. Office of the General Counsel

- 1) 74 Country Club Road: The property owner appealed a decision of the Connecticut Department of Public Health affirming the Middletown Health Department's order to cure various violations of the Public Health Code and Middletown Code of Ordinances on the property. The appeal was denied by the Department of Public Health and the City's legal order was modified, and affirmed. The owner has appealed to the Superior Court. The Office of the General Counsel will continue to defend the action and will continue to monitor the property.
- 2) 5 Grace Street: The City has commenced criminal proceedings against the owner of the property to ensure compliance with the Middletown Code of Ordinances and the Public Health Code. Due to the slow nature of the criminal proceeding, this property has been referred to the Planning, Conservation and Development Department, who issued a Cease & Desist Order on September 29, 2017, requiring the property owner to remediate the violations on the property by October 9, 2017. The property owner has failed to remediate the violations on the property and the City commenced clean-and-lien procedures in February 2018. The code violations have been remediated by the City and a lien will be placed on the property. No further action needed.

C. Building Department

- 1) 138 College Street: The Building Department is monitoring the progress of the property's construction. The property will continue to be monitored.
- 2) 139 Church Street: The Fire Department has discovered that a temporary access ramp was installed on the property. Referred to the Building Department to follow up to determine whether any Code Enforcement activity is required. The Building Department has approved the ramp constructed on the property. No further action needed at this time.

D. Public Works Department

- 1) 193 River Road: The Building Department issued a demolition permit for the building located on the property.

E. South Fire District- not present, items not discussed.

- 1) Jackson Corrugated Property.
- 2) 50 Walnut Street.

F. Westfield Fire District:

- 1) FedEx Ground – 1000 Middle Street (New Building): Site work is being performed on the building. The property will continue to be monitored.

6. Adjournment

The Committee adjourned at 9:26 a.m. on motion of Chief Public Sanitarian Nesci, seconded by Chief Building Official Lisitano, and carried unanimously.

cc: Hon. Daniel T. Drew, Mayor
Code Enforcement Committee Members
OGC Personnel